



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,647	03/11/2004	Stephen J. Lafontaine	02LF-1	8137
7590	06/15/2006		EXAMINER SINGH, SUNIL	
Robert R. Meads 214 Paseo de Suenos Redondo Beach, CA 90277			ART UNIT 3673	PAPER NUMBER

DATE MAILED: 06/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Feldman et al. (US 4254597) in view of either Murphy or Cherrington (US 2472120,3967689)

Feldman et al. discloses a ground piercing tool comprising a ground piercing tip (16) consisting of a forward facing pointed tip (16), a rearward facing threaded portion (25, see Fig. 3) and a radially extending rearward facing shoulder (see Fig. 3) outward of the threaded portion; an elongated axially extending first rod (11) including a first forward facing threaded portion (see Fig. 2) for mating with the rearward facing threaded portion of the tip, a first radially extending forward facing shoulder (see Fig. 2) outward of the first forward facing threaded portion for engaging the rearward facing radially extending shoulder of the tip, a first rearward facing threaded portion (26, see Fig. 2), and a first radially extending rearward facing shoulder outward of the first rearward facing threaded portion; and an end cap (13) having a rearward facing axial impact surface. Feldman et al. discloses the invention substantially as claimed. However, Feldman's et al. end cap lacks a threaded portion so as to mate with the rearward threaded portion of the first rod. Murphy and Cherrington both teach an end cap (13,37) having a forward threaded

Art Unit: 3673

portion(15,26) for mating with the rearward threaded portion (11,28) of a first rod (10,14). It would have been considered obvious to one of ordinary skill in the art to modify the end cap of Feldman et al. by substituting the connecting means as taught by either Murphy or Cherrington for the connecting means disclosed Feldman et al. since such a substitution allows for ease removal of the end cap in the event one wants to add more rods.

With regards to claim 25, a second rod is taught by Feldman et al. (see col. 3 lines 10-30, col. 4 line 10+).

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sunil Singh whose telephone number is (571) 272-7051. The examiner can normally be reached on Monday through Friday 10:30 AM - 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Engle Patricia can be reached on (571) 272-6660. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3673

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sunil Singh
Primary Examiner
Art Unit 3673



SS


6/6/06